



February 22, 2002

ENGROSSED SENATE BILL No. 459

DIGEST OF SB 459 (Updated February 20, 2002 6:26 PM - DI 92)

Citations Affected: Noncode.

Synopsis: Juvenile law commission. Establishes the commission on juvenile law to recommend changes in juvenile law by January 1, 2003. Appropriates \$18,000 to fund the commission.

Effective: Upon passage.

Clark, Long, Howard

(HOUSE SPONSORS — AVERY, FOLEY, HERRELL, POND)

January 14, 2002, read first time and referred to Committee on Rules and Legislative Procedure.

January 17, 2002, amended, reported favorably — Do Pass.

January 24, 2002, read second time, ordered engrossed.

January 25, 2002, engrossed.

January 29, 2002, read third time, passed. Yeas 50, nays 0.

HOUSE ACTION

January 31, 2002, read first time and referred to Committee on Ways and Means.

February 21, 2002, amended, reported — Do Pass.

C
o
p
y

ES 459—LS 7277/DI 106+



February 22, 2002

Second Regular Session 112th General Assembly (2002)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2001 General Assembly.

ENGROSSED SENATE BILL No. 459

A BILL FOR AN ACT concerning family law and juvenile law and to make an appropriation.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. [EFFECTIVE UPON PASSAGE] (a) As used in this
2 SECTION, "commission" refers to the commission on juvenile law
3 established by this SECTION.

4 (b) There is established the commission on juvenile law. The
5 commission shall recommend changes in juvenile law to the
6 legislative council by January 1, 2003.

7 (c) The commission consists of the following members:

8 (1) Two (2) members of the house of representatives, who may
9 not be members of the same political party, appointed by the
10 speaker of the house of representatives.

11 (2) Two (2) members of the senate, who may not be members
12 of the same political party, appointed by the president pro
13 tempore of the senate.

14 (3) One (1) prosecuting attorney, appointed by the president
15 pro tempore of the senate.

16 (4) One (1) juvenile public defender, appointed by the speaker
17 of the house of representatives.

ES 459—LS 7277/DI 106+



C
o
p
y

(5) Two (2) judges or magistrates having responsibility for juvenile law, appointed by the chief justice of the Indiana Supreme Court.

(6) One (1) court appointed special advocate (CASA) or guardian ad litem, appointed by the chief justice of the Indiana Supreme Court.

(7) One (1) attorney licensed to practice law in Indiana who is a member of the Indiana State Bar Association's Committee on Civil Rights for children, appointed by the speaker of the house of representatives.

(8) The executive director of the judicial center, or the executive director's designee.

(9) One (1) person employed by a nonprofit organization that addresses delinquency and juvenile justice issues, to be appointed by the president pro tempore of the senate.

(10) One (1) representative of a probation department, to be appointed by the president pro tempore of the senate.

(11) The director of the Indiana criminal justice institute, or the director's designee.

(12) One (1) representative of a law enforcement agency, to be appointed by the speaker of the house of representatives.

(d) At the first meeting of the commission, the members shall select a chairperson from among the members.

(e) The Indiana criminal justice institute shall staff the commission and provide administrative support. In addition, the legislative services agency shall provide support for bill drafting and fiscal analysis upon request of a legislative member of the commission.

(f) Except as provided in subsection (i), the expenses of the commission shall be paid by the Indiana criminal justice institute from the commission on juvenile law fund.

(g) Each member of the commission who is not a state employee is entitled to the minimum salary per diem provided by IC 4-10-11-2.1(b). The member is also entitled to reimbursement for traveling expenses as provided under IC 4-13-1-4 and other expenses actually incurred in connection with the member's duties as provided in the state policies and procedures established by the Indiana department of administration and approved by the budget agency.

(h) Each member of the commission who is a state employee but who is not a member of the general assembly is entitled to reimbursement for traveling expenses as provided under



1 IC 4-13-1-4 and other expenses actually incurred in connection
2 with the member's duties as provided in the state policies and
3 procedures established by the Indiana department of
4 administration and approved by the budget agency.

5 (i) Each member of the commission who is a member of the
6 general assembly is entitled to receive the same per diem, mileage,
7 and travel allowances paid to legislative members of interim study
8 committees established by the legislative council. Per diem,
9 mileage, and travel allowances paid under this subsection shall be
10 paid from appropriations made to the legislative council or the
11 legislative services agency.

12 (j) The affirmative votes of a majority of the members
13 appointed to the commission are required for the commission to
14 take action on any measure, including final reports.

15 (k) This SECTION expires January 1, 2003.

16 SECTION 2. [EFFECTIVE UPON PASSAGE] (a) There is
17 established the commission on juvenile law account within the state
18 general fund. The commission on juvenile law account consists of
19 appropriations made by the general assembly and donations.

20 (b) There is appropriated to the commission on juvenile law
21 account eighteen thousand dollars (\$18,000) from the state general
22 fund to fund the commission on juvenile law beginning on the
23 effective date of this SECTION and ending December 31, 2002.

24 (c) This SECTION expires January 1, 2003.

25 SECTION 3. An emergency is declared for this act.

C
o
p
y



COMMITTEE REPORT

Mr. President: The Senate Committee on Rules and Legislative Procedure, to which was referred Senate Bill No. 459, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Page 1, line 8, after "representatives," insert **"who may not be members of the same political party,"**.

Page 1, line 10, after "senate," insert **"who may not be members of the same political party,"**.

Page 1, line 12, delete "speaker of" and insert **"president pro tempore of the senate."**

Page 1, delete line 13.

Page 1, line 15, delete "president pro tempore of the senate." and insert **"speaker of the house of representatives."**

Page 3, line 8, delete "The".

Page 3, delete lines 9 through 15.

and when so amended that said bill do pass.

(Reference is to SB 459 as introduced.)

GARTON, Chairperson

Committee Vote: Yeas 8, Nays 0.

C
o
p
y



SENATE MOTION

Mr. President: I move that Senator Howard be added as coauthor of Senate Bill 459.

CLARK

SENATE MOTION

Mr. President: I move that Senator Long be added as second author of Senate Bill 459.

CLARK

C
o
p
y



COMMITTEE REPORT

Mr. Speaker: Your Committee on Ways and Means, to which was referred Senate Bill 459, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 2, line 9, delete "chief justice of" and insert "**speaker of the house of representatives.**".

Page 2, delete line 10.

Page 2, line 11, delete "One (1) representative" and insert "**The executive director**".

Page 2, line 11, delete "appointed by" and insert "**or the executive director's designee.**".

Page 2, delete line 12.

Page 2, between lines 12 and 13, begin a new line block indented and insert:

"(9) One (1) person employed by a nonprofit organization that addresses delinquency and juvenile justice issues, to be appointed by the president pro tempore of the senate.

(10) One (1) representative of a probation department, to be appointed by the president pro tempore of the senate.

(11) The director of the Indiana criminal justice institute, or the director's designee.

(12) One (1) representative of a law enforcement agency, to be appointed by the speaker of the house of representatives."

and when so amended that said bill do pass.

(Reference is to SB 459 as printed January 18, 2002.)

BAUER, Chair

Committee Vote: yeas 22, nays 0.

C
O
P
Y

